

L09 | Data Protection Laws in the Western Balkans



Map Legend – Existing Data Protection Laws

- Data protection law enforced
- Data protection law passed
- Data protection bill introduced
- Direct application of a foreign law (e.g., GDPR)

Map Legend – Progress in Alignment to the GDPR

- ▨ GDPR-aligned data protection law enforced
- ▨ GDPR-aligned data protection law passed
- ▨ GDPR-like data protection bill introduced

← Map of the EU
(Highlighted are the 6 non-EU Western Balkans)

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List of Existing Data Protection Laws in the Western Balkans

Kosovo, North Macedonia and Serbia have recently adopted new data protection laws which are modeled after the General Data Protection Regulation (GDPR). Albania, Bosnia and Herzegovina and Montenegro have not aligned their existing data protection laws with the GDPR yet, but new laws are expected to be adopted. This prospect is due to the fact that all six states are EU candidate countries, their accession being conditional on the alignment of legislation to the *acquis communautaire*.

State	Official designation of the law	Translation / short title	Law officially adopted	DPA established (name)	Enforcement commenced	GDPR-aligned
Albania	LIGJ nr. 9887, datë 10.3.2008 „Për mbrojtjen e të dhënave personale” (ndryshuar me ligjin,nr.120/2014, f.z 160)	Law on protection of personal data no. 9887 (Amended last time by the Law No.120/2014)	10 March 2008 (last amended 26 April 2014)	yes (Information and Data Protection Commissioner)	10 April 2008	no
Bosnia & Herzegovina	Zakon o zaštiti ličnih podataka ("Sl. glasnik BiH", br. 49/2006, 76/2011 i 89/2011 - ispr.)	Law on Protection of Personal Data („Official Gazette of Bosnia and Herzegovina“ 49/06)	23 May 2005 (last amended 14 September 2011)	yes (Personal Data Protection Agency in Bosnia and Herzegovina)	25 May 2006	no
Kosovo	Ligji nr. 06/I-082 Për mbrojtjen e të dhënave personale	Law 06/L-082 on Personal Data Protection	14 February 2019	yes (Information and Privacy Agency)	12 March 2019	yes
Montenegro	Zakon o zaštiti podataka o ličnosti ("Sl. list CG", br. 79/2008, 70/2009, 44/2012 i 22/2017)	Personal Data Protection Law	22 December 2008 (last amended in 2017)	yes (Agency for Personal Data Protection and Free Access to Information)	1 January 2009 (with 6 months alignment period – 1 June 2009)	no
North Macedonia	Закон за заштита на личните податоци („Службен весник на Република Северна Македонија“ бр. 42/20)	Law on Protection of Personal Data no. 42/20	16 February 2020	yes (Personal Data Protection Agency)	24 February 2020 (with 18 months alignment period – 24 August 2021)	yes
Serbia	Zakon o zaštiti podataka o ličnosti ("Sl. glasnik RS", br. 87/2018)	Law on Personal Data Protection	13 November 2018	yes (Commissioner for Information of Public Importance and Personal Data Protection)	21 November 2018 (with 9 months alignment period - 21 August 2019)	yes

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List of 2nd Generation Data Protection Bills in Albania, Bosnia and Herzegovina and Montenegro

State	State of play of introducing a new data protection law	Designation of the bill	Translation / short title	Date	DPA established (name)
Albania	Announced	-	-	March 2020	yes (Information and Data Protection Commissioner)
Bosnia & Herzegovina	Proposal law has been prepared	Prijedlog Zakona o zaštiti ličnih podataka	Proposal for Law on Personal Data Protection	January 2020	yes (Personal Data Protection Agency in Bosnia and Herzegovina)
Montenegro	The bill passed public debate	Nacrt Zakona o zaštiti podataka o ličnosti	Draft Law on Personal Data Protection	July 2019	yes (Agency for Personal Data Protection and Free Access to Information)

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References and further resources

1. [Annual Activity Report of the Albanian Information and Data Protection Commissioner 2019](#)
2. [Annual Report on Personal Data Protection in Bosnia and Herzegovina for 2019](#)
3. [Annual Report of the North Macedonian Agency 2020](#), [Macedonian]
4. [Annual Report on Work of the Serbian Commissioner for Information of Public Importance and Personal Data Protection for 2020](#)
5. [BIH Decision on the formation of an interdepartmental working group for drafting the Law on personal data protection no. 49/18, 23.05.2018](#), [Bosnian]
6. [Compliance of Legal Framework in the Western Balkans Economies With the General Data Protection Regulation \(GDPR\) Requirements](#), Regional Cooperation Council (December 2020)
7. [The European Commission's Country Report Albania 2020](#) (October 2020), 30 pp.
8. [The European Commission's Country Report Bosnia and Herzegovina 2020](#) (October 2020), 27-28 pp.
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10. [The European Commission's Country Report Montenegro 2020](#), (October 2020), 33 pp.
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12. [The European Commission's Country Report Serbia 2020](#) (October 2020), 32 pp.
13. [Zejnullahu, N. „Personal Data Protection in Kosovo, Three Years of Failure“, European Data Protection Law Review](#), Volume 6, Issue 2 (2020) 308 – 313 pp.